FACSIMILE: (714) 557-3347

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TELEPHONE: (714) 557-3800

INTELLECTUAL PROPERTY LAW 12400 WILSHIRE BOULEVARD, 7th FLOOR LOS ANGELES, CA 90025

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JUL 1 2 2004

| Deliver to: <u>Danny Nguyen, USPTO</u> | Art Group: 2836 OFFIC | | | |
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| Facsimile No.: 703.872.9306 | Date: July 12, 2004 | | | |
| From: Thinh V Nguyen, Reg. N | • | | | |
| Our Docket No.: 42390P12455 | Number of pages <u>13</u> including this sheet. | | | |
| pplication No.: 09/965,253 | Filing Date: 9/26/2001 | | | |
| | Docket Due Date(s): 8/6/2004 | | | |
| nclosed are the following documents: | | | | |
| ☑ Amendment:Response (_9_pgs) | ☐ Issue Fee Transmittal | | | |
| ☐ Appeal Brief (in triplicate) (pgs) | ☐ Notice of Appeal | | | |
| Application: | Petition for: | | | |
| (pgs) w/cover & abstract) | □ Request for Continued Examination (RCE) | | | |
| ☐ Assignment & Cover Sheet (pgs) | Reply Brief (pgs) | | | |
| Certificate of <u>Facsimile</u> | ☐ Request & Certification Under 35 USC 122(b)(2)(B)(i) | | | |
| ☐ Continued Prosecution Application (CPA) | ☐ Request to Rescind Previous Nonpublication Request | | | |
| ☐ Declaration & POA (pgs) | ☐ Response to Notice of Missing Parts & Formalities Letter | | | |
| ☐ Drawings:sheets, figures | ☐ Response to Written Opinion (pgs) | | | |
| Extension of Time: | _ | | | |
| Fee Transmittal (in duplicate) | ☐ Transmittal of Publication Fee Due | | | |
| ☐ IDS & PTO/SB/08 (pgs) | ▼ Transmittal Letter | | | |
| ☐ Other | | | | |
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| | IAILING/TRANSMISSION (37 CFR 1.8A) ansmitted by facsimile on the date shown below to the United States | | | |
| kurgur | 07/12/2004 | | | |
| Tu T. Ngayen | Date | | | |

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If you do not receive all the pages, or if there is any difficulty in receiving, please call: (714) 557-3800 and ask for Tu T. Nguyen.

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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | | Application No. | 09/965,253 | | | |
|---|---|------------------------|--|--|--|--|
| | | Filing Date | September 26, 2001 | | | |
| | | First Named Inventor | Jeffrey Johnson | | | |
| | | Art Unit | 2836 | | | |
| | | Examiner Name | Danny Nguyen | | | |
| Total Number of Pages in This Submission 12 | | Attorney Docket Number | 42390P12455 | | | |
| ENCLOSURES (check all that apply) | | | | | | |
| Fee Transmittal | Form | Drawing(s) | | After Allowance Communication to Group | | |
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| Amendment / Ro | esponse | Petition | | Appeal Communication to Group (Appeal Netice, Brief, Raphy Brief) | | |
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| Extension of Tin | ne Request | Power of All Change of | torney, Revocation Correspondence Address | Status Letter | | |
| Express Abandonment Request | | Terminal Di | sclaimer | Other Enclosure(s) (please identify below): | | |
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| Certified Copy of Document(s) | f Priority | | | | | |
| Response to Missing Parts/ Incomplete Application Basic Filing Fee | | | 1 | | | |
| | | Remarks | | | | |
| Declaration/PQA | | | | | | |
| Response to Missing Parts under 37 CFR 1.52 or 1.53 | | | | | | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | | | | |
| Firm | 11mm v. Nguyen, Reg. No. 42.034 | | | | | |
| Individual name BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP | | | | | | |
| Signature | | | | | | |
| Data | a o a yum | | | | | |
| Date | July 12, 2004 | <u></u> | | | | |
| I hereby certify that this Trademark Office. | CERTIFICATE OF MAILING/TRANSMISSION hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent a Trademark Office. | | | | | |
| Typed or printed na | me Tu T. Nguye | 1 | | | | |
| Signature | Signature | | | ate July 12, 2004 | | |
| esad on PTC/SB/21 (04-04) as modified by Blakely, Scrokoff, Taylor & Zafman (wir) 08/04/2004. END TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 | | | | | | |

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| SUBMITTED BY Complete (If applicable) | | | | | |
| Registration No. | = | | | | |
| Name (Print/Typa) Thinh V. Nguyen (Attorney/Agont) 42,034 Telephone (714) 557-3 | | | | | |
| Signature Date 07/12/04 | 300 | | | | |
| sased on PTO/SB/17 (10-03) as modified by Bfilkaly, Solokoff, Taylor & Zafman (Wr) 02/10/2004. SEND TO: Commissioner for Patients, P.O. Box 1450, Alexandra, VA 22313-1450 | | | | | |

| fee transmittal | Complete if Known | | | | |
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| | Application Number 09/965,253 | | | | |
| for FY 2004 | Filing Date September 26, 2001 | | | | |
| Effective 01/01/2004. Petent feet are subject to annual revision. | First Named Inventor Jeffrey Johnson | | | | |
| Applicant claims small entity status. See 37 CFR 1.27. | Examiner Name Danny Nguyen | | | | |
| TOTAL AMOUNT OF PAYMENT (\$) | Art Unit 2836 | | | | |
| | Attorney Docket No. 42390p12455 | | | | |
| METHOD OF PAYMENT (check all that apply) FEE CALCULATION (continued) | | | | | |
| Check Credit card Money Other None | 3. ADDITIONAL FEES | | | | |
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| 1201 BB 2201 43 Independent claims in excess of 3 | 1810 770 2810 385 For each additional invention to be | | | | |
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| SUBMITTED BY Complete (if applicable) Name (Add Type) Registration No. (714) 557 2000 | | | | | |
| Attorney/Agent) 42,034 Telephone (714) 557-3800 | | | | | |
| Signature Date 07/12/04 | | | | | |
| ased on PTC/SB/17 (10-03) as modified by B&hely, Solokoff, Taylor & Zefman (w/r) 02/10/2004. END TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 | | | | | |

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Appl. No. 09/965,253 Amdt. Dated 07/12/2004

Reply to Office action of May 6, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application. No. :

09/965,253

Confirmation No. 3010

Applicant

Jeffrey Johnson

Filed

09/26/2001

TC/A.U.

2836

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:

Examiner

Danny Nguyen

Docket No.

042390.P12455

Customer No.

8791

Commissioner for Patents PO Box 1450

Alexandria VA 22313-1450

AMENDMENT UNDER 37 CFR § 1.116

Sir:

In response to the Office action of May 6, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.